



WEB COPY



W.P.No.21771 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM : **JUSTICE N.SESHASAYEE**

W.P.No.21771 of 2021
and W.M.P.Nos.22954 of 2021

C.Muthupandian @ Muthupandi

... Petitioner

Vs.

1.The Commissioner of Police
Office of the Commissioner of Police
No.132, EVK Sampath Road
Vepery, Chennai - 600 007.

2.The Assistant Commissioner of Police
Triplicane Range, Chennai - 600 005.

3.The Inspector of Police
D-1, Triplicane, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Rejection Order dated 2.5.2021 bearing Ref.No.Rc.No.E3(1)/32/5658/2021 passed by the first respondent and quash the same and consequently direct the first respondent to renew the Public Resort Licence No.Rc.No.E3(1)/101/33915/2013 dated 26/1/2016 for the period 2021-2022.



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For Petitioner : Mr.V.P.Sengottuvel
for Mr.S.Gopinathan

For Respondents : Mr.V.Manoharan
Additional Government Pleader
for R1 to R3

ORDER

The petitioner is engaged in the business of hotel industry since 2005, in the name and style of Hotel Platinum Stars, which is intended for conducting cultural dance programmes, and that the petitioner was a holder of Public Resort Licence. The petitioner had made an application before the first respondent on 19.01.2021, for renewal of the said licence, but it came to be rejected vide Rejection Order dated 02.05.2021 on the ground that the said property lack certain necessary amenities like additional special exit doors, provision of separate toilets for male and female, parking area etc., as per the Rule 28(5) and Section 36 and 39 of Chennai City Police Act.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the respondents.



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3. The learned counsel agreed for providing two doors in terms of Regulation 28(5) of the City Police Act. Upon making those structural corrections, the petitioner is required to make a fresh application / representation to the authorities concerned, who will now cause an inspection of the property and once they are satisfied that the doors and the requisite amenities have been provided in terms of the Rules, the authorities are required to provide a licence as required, within a period of four weeks thereafter.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2023

Index : Yes / No
Speaking order / Non-speaking order
ds

Note : Issue order copy on 26.07.2023



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To:

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N.SESHASAYEE, J.

ds

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